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EXAMINER

GYORFI, THOMAS A

ART UNIT PAPER NUMBER

2135

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,349

Applicant(s)

PRATT, DOUGLAS CHARLES

Examiner

Tom Gyorfi

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 remain for examination. The correspondence filed 6/28/05 amended claims 1-4, 9, 10, 13, and 15-19.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/28/05 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2135

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris (U.S. Pre-grant Publication 2002/0059204) and further in view of Egendorf et al. (U.S. Pre-grant Publication 2003/0177111).

Referring to Claim 1:

Harris discloses a method for determining identifier codes for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity (paragraph 0009);

extracting said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

generating a plurality of messages incorporating said extracted first identifier code, said plurality of messages being for initiating a search of a plurality of different remote identifier code databases including said first database, said databases linking said first identifier code associated with said first entity to corresponding different identifier codes identifying said object, said different identifier code being associated with entities different to said first entity (paragraph 0018, 0029, 0044 and 0065); and

receiving said different identifier codes corresponding to said first identifier code in response to communicating said plurality of messages (paragraph 0017 and 0051-0052).

Harris does not explicitly disclose wherein the messages support a commercial transaction and are sent between entities desiring to effect a commercial transaction. However, Egendorf discloses a related system wherein this limitation is found (Figures 11A and 11B; paragraphs 0178-0185). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include support for commercial transactions in the invention disclosed by Harris. The motivation for doing so would be to ensure current information about desired products and services (paragraph 0057).

Referring to Claim 15:

Harris discloses a method for determining a specific identifier code for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity (paragraph 0009);;

deriving said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

generating a second message incorporating said derived first identifier code, said second message being for initiating a search of said first database mapping said first identifier code associated with said first entity to a corresponding second identifier code identifying said object and said second message incorporates data representing rules determining conduct of said search of said identifier code database, said second identifier code being associated with a second entity different to said first entity (paragraph 0018, 0029, 0057 and 0058);

receiving said second identifier code corresponding to said first identifier code in response to communicating said second message (paragraph 0017 and 0051-0052).

Harris does not explicitly disclose wherein the messages support a commercial transaction and are sent between entities desiring to effect a commercial transaction. However, Egendorf discloses a related system wherein this limitation is found (Figures 11A and 11B; paragraphs 0178-0185). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include support for commercial transactions in the invention disclosed by Harris. The motivation for doing so would be to ensure current information about desired products and services (paragraph 0057).

Referring to Claim 16:

Harris discloses a method for determining identifier codes for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity (paragraph 0009);

deriving said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

generating a plurality of messages incorporating said derived first identifier code, said plurality of messages being for initiating a search of said first database and a remote identifier code database, said databases linking said first identifier code associated with said first entity to corresponding different identifier codes identifying said object, said different identifier code being associated with entities different to said first entity (paragraph 0018, 0029, 0044 and 0065);

receiving said different identifier codes corresponding to said first identifier code in response to communicating said second message (paragraph 0017 and 0051-0052);

and updating said remote identifier code databases to incorporate corresponding received identifier codes identifying said object (paragraph 0017 and 0051-0056).

Harris does not explicitly disclose wherein the messages support a commercial transaction and are sent between entities desiring to effect a commercial transaction. However, Egendorf discloses a related system wherein this limitation is found (Figures 11A and 11B; paragraphs 0178-0185). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include support for commercial

Art Unit: 2135

transactions in the invention disclosed by Harris. The motivation for doing so would be to ensure current information about desired products and services (paragraph 0057).

Referring to Claim 17:

Harris discloses a method for providing identifier codes for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving from a remote source a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity and said first message requesting determination of a specific identifier code for said object (paragraph 0009);

deriving said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

initiating a search of a plurality of different identifier code databases including said first database, said databases linking said first identifier code associated with said first entity to corresponding different identifier codes identifying said object, said different identifier codes being associated with entities different to said first entity using said extracted first identifier code (paragraph 0018, 0029, 0044 and 0065);

receiving said different identifier codes corresponding to said first identifier code in response to said initiated search of said plurality of different identifier code databases (paragraph 0051-0056); and

providing said different identifier codes to said remote source (paragraph 0051-0056)).

Harris does not explicitly disclose wherein the messages support a commercial transaction and are sent between entities desiring to effect a commercial transaction. However, Egendorf discloses a related system wherein this limitation is found (Figures 11A and 11B; paragraphs 0178-0185). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include support for commercial transactions in the invention disclosed by Harris. The motivation for doing so would be to ensure current information about desired products and services (paragraph 0057).

Referring to Claim 19:

Harris discloses a system for identifier codes for an object associated with a plurality of identifier codes, comprising:

a communication processor for bidirectionally communicating with applications (Fig. 2; paragraph 0061);

a plurality of different remote identifier code databases including a first database incorporating object identifier code mapping information accumulated from identifier codes derived from message data (paragraphs 0031 and 0041);

a first application for,

initiating a search of said plurality of different remote databases to translate a first identifier code identifying an object associated with a first entity to corresponding different identifier codes identifying said object, said different identifier codes being associated with entities different to said first entity, in response to receiving a message including a plurality of corresponding identifier codes identifying said object and provided by remote applications (paragraph 0018, 0029, 0044 and 0065), and for updating at least one of said plurality of different databases to incorporate corresponding different identifier codes identifying said object (paragraph 0017 and 0051-0056); and

providing said different identifier codes corresponding to said first identifier code in response to said initiated search of said plurality of different identifier code databases via said communication processor (paragraph 0055-057).

Harris does not explicitly disclose wherein the messages support a commercial transaction and are sent between entities desiring to effect a commercial transaction. However, Egendorf discloses a related system wherein this limitation is found (Figures 11A and 11B; paragraphs 0178-0185). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include support for commercial transactions in the invention disclosed by Harris. The motivation for doing so would be to ensure current information about desired products and services (paragraph 0057).

Referring to Claim 2:

Harris discloses the limitation of Claim 1 above. Harris and Egendorf further disclose wherein messages supporting commercial transactions are messages effecting commercial transactions including purchase or sale of goods (Egendorf, paragraph 0057), and including the activity of updating said plurality of databases to incorporate said different identifier codes identifying said object (Harris, paragraph 0017).

Referring to Claim 3:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris further discloses said mapping information supports translation of an identifier code within a message as the message passes through an interface processor (paragraph 0048).

Referring to Claim 4:

Harris and Egendorf disclose the limitation of Claim 3 above. Harris further discloses, including the activity of communicating said plurality of messages to applications useable for initiating a search of said plurality of different remote identifier code databases (paragraph 0055-0057 and 0062; see also element 16 of Figures 3 and 4).

Harris further suggests an alternate embodiment wherein the interface processor can reside on a separate server different from the sending or receiving system, which would prevent either system from affecting the translation (Harris, paragraph 0008).

Referring to Claims 5 and 20:

Harris and Egendorf disclose the limitations of Claims 1 and 19 above. Harris further discloses, wherein a message of said plurality of messages initiates a prioritized search of said a database and

an object comprises at least one of, (i) an article of manufacture, (ii) a service and (iii) a non-manufactured item (paragraph 0029; also, observe that "article of manufacture" falls under the scope of "product" under the broadest definition of the terms: see paragraph 0013) and

an entity comprises at least one of, (a) an object retailer, (b) an object wholesaler, (c) an object distributor, (d) an object manufacturer, (e) an object servicing enterprise and (f) an object seller (observing that the supplier of paragraph 0013 reads on at least any element of the set of "object retailer", "object distributor", and "object seller", under the broadest definitions of the respective terms).

Referring to Claim 6:

Harris and Egendorf disclose the limitations of Claim 5 above. Harris further discloses, wherein said prioritized search of said database searches first for a purchaser product identifier code identifying said object and subsequently for a manufacturer product identifier code identifying said object (paragraph 0060). If Applicant produces a persuasive argument that the sequential ordering of searches disclosed therein does not read on the claim, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to sequentially stagger the

Art Unit: 2135

searches for the product and manufacturer codes, respectively. The motivation for doing so would be to allow the data for the product codes in a separate database from the data for the manufacturer codes, allowing for a modicum of load balancing among the servers used in the Harris disclosure (paragraph 0060), particularly when multiple queries are active.

Referring to Claim 7:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris further discloses, wherein said extracting activity comprises

deriving said first identifier code and a corresponding third identifier code identifying said object from said received first message (paragraphs 0052-0053), and

said generating step generates a plurality of messages incorporating said derived first and third identifier codes. (paragraphs 0029, 0052, 0058 and 0074-0075; in addition see also paragraph 0064).

Referring to Claim 8:

Harris and Egendorf disclose the limitations of Claim 7 above. Harris further discloses, wherein said first identifier code comprises a purchaser product identifier code and said third identifier code comprises a manufacturer product identifier code and a message of said plurality of messages initiates a prioritized search of a database involving searching first for said purchaser product identifier code and subsequently for

Art Unit: 2135

a manufacturer product identifier code, both of which fall under the scope of the product codes as taught in paragraph 0013. (see also paragraphs 0029, 0058 and 0074-0075).

If Applicant produces persuasive evidence as to why this is not inherently so, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to include it, as doing so would facilitate purchasing a product thusly searched based on the results returned by the disclosed system (paragraph 0013).

Referring to Claim 9:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris further discloses wherein said mapping information supports translation of an identifier code within a message as the message passes through an interface processor without any action affecting the translation by either a sending system (paragraphs 0048 and 0008).

Referring to Claim 10:

Harris and Egendorf disclose the limitations of Claim 1 above. Egendorf further discloses wherein messages supporting commercial transactions are messages effecting commercial transactions including purchase or sale of goods (paragraph 0057).

Referring to Claim 11:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris further discloses, including the activity of communicating said plurality of messages to

Art Unit: 2135

applications for accessing said databases using at least two of, (a) Hypertext Transfer Protocol (HTTP), (b) Simple Object Access Protocol (SOAP) and (c) XML (Extensible Markup Language) (paragraph 0062).

Referring to Claim 12:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris further discloses, wherein said method comprises an identifier code mapping application and said identifier code mapping application and one of said plurality of different remote identifier code databases are co-located on the same processor, said processor comprising one of (a) a server, (b) a PC (c) a wireless device, (d) a mainframe computer and (e) another networked processing device (paragraph 0065-0066, 0075). Note that because the system disclosed in Harris uses the Internet (paragraphs 0032-0035), it can thus be construed that "another networked processing device" is taught the Harris disclosure.

Referring to Claim 13:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris and Egendorf further disclose, wherein messages supporting commercial transactions are messages effecting commercial transactions including purchase or sale of goods (Egendorf, paragraph 0057) and said mapping information supports translation of an identifier code within a message as the message passes through an interface processor without any action affecting the translation by either a sending system or receiving

Art Unit: 2135

system (Harris, paragraphs 0048 and 0008) and at least one of said first and said different identifier codes comprise one of (a) a Universal Product Code and (b) a code associated with a bar code (paragraphs 0013 and 0029).

Referring to Claim 14:

Harris and Egendorf disclose the limitations of Claim 1 above. Harris further discloses, wherein said first message is received from an application initiating a transaction (paragraph 0013), and including the activity of forwarding a composite message to a destination application in support of said transaction, said composite message being created including information derived from said first message and including one of said different identifier codes (selecting a result and forwarding it to a purchasing system, as described in paragraphs 0013 and 0076).

Referring to Claim 18:

Harris and Egendorf disclose the limitations of Claim 17 above. Harris further discloses, including the activity of generating a record of said search and provision of said different identifier codes for use in at least one of, (a) billing, and (b) creating a transaction record (the log file containing transaction records of paragraph 0055; also, a billing scheme would be inherent to, or at least suggested by, the ordering scheme of paragraph 0076).

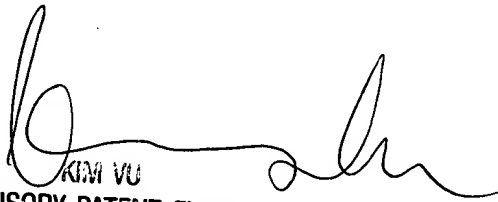
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAG
9/29/05


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